

REMARKS

Claims 1-40 are pending, claims 37-40 having been added by this Amendment.

In response to the objection to the Oath/Declaration and the rejection of claims 1-36 as being based upon a defective reissue Declaration, attached is a Supplemental Declaration. This Supplemental Declaration has been drafted with an eye towards addressing the Examiner's concerns. Approval of the Supplemental Declaration is respectfully requested.

Applicant notes with appreciation the allowance of claims 1-28 and the indication of allowable subject matter in claims 31 and 35. Remaining claims 29, 30, 32-34, and 36-40 are also considered allowable for the following reasons.

Claims 29, 30, 32-34, and 36 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. patent No. 5,103,459 to Gilhousen ("Gilhousen") in view of U.S. Patent No. 5,230,084 to Nguyen ("Nguyen"). This rejection is respectfully traversed.

Gilhousen discloses a system and method for generating signal waveforms in a CDMA cellular telephone system. The Action admits that Gilhousen does not disclose that control information for a specific group of mobile units is transmitted only at predetermined times as recited in claims 29 and 33 or assigning a mobile unit to a subgroup of data blocks and transmitting paging messages to the mobile unit only in the subgroup as recited in claims 30 and 34. The Action relies on Nguyen for these features.

The Action asserts that it would have been obvious to use the technique of Nguyen in Gilhousen's communication system in order to allow each mobile unit to save power and extend the life of its batteries, as a result of powering up its receiver only during periods where transmitted batches of control information are directed to the groups to which they belong.

Applicant respectfully submits that it would not have been obvious to combine Nguyen with Gilhousen in the manner suggested because this would cause the system of Gilhousen to lose synchronization. In a CDMA system such as that disclosed in Gilhousen, synchronization is lost when a mobile unit powers up and powers down. Thus, one of ordinary skill in the art would not have been led to combine Nguyen with Gilhousen in the manner suggested, because this would result in a loss of synchronization between the mobile unit and the network in Gilhousen.

For at least this reason, claims 29, 30, 33 and 34 are considered allowable. Claims 31-32 and 35-36 depend from claims 30 and 34, respectively, and are considered allowable for at

least the same reasons. In addition, new claims 37, 38, 39, and 40 depend from claims 29, 30, 33, and 34, respectively, and are considered allowable for at least the same reasons. These claims also recite further features not disclosed or suggested by the cited patents.

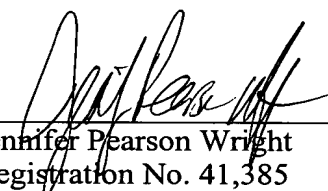
Claims 37 and 39 recite using control information extracted from a decoded received signal to maintain synchronization between the mobile station and the base station. Similarly, claims 38 and 40 recite receiving the paging message at said mobile station and using said paging message to maintain synchronization between the mobile station and the code division multiple access communication system. Maintenance of synchronization of the mobile unit and the network is described, e.g., at page 6, lines 51-56 of the specification. These claimed features are not disclosed or suggested by either of the cited patents. For this additional reason, claims 37-40 are considered allowable over any combination of the cited patents.

All the claims considered allowable, a Notice to this effect is solicited. If any questions remain, the Examiner is invited to contact the undersigned at the number given below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:


Jennifer Pearson Wright
Registration No. 41,385

P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240

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